Reserve

G.R.S. [X-5]

Previous references

File No. 638-21

192/.

(Misc)

Serial Nos.

174

Later references.

misc 262-23-(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for Oct^r 22

SUBJECT

Appeal of Lingu Jois residing at Shikarpur

Murzai Commr.
1528 D 13.10.22

Dismisses the —

Printed on the Multigraph

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Appeal is in time & sufficient

Fee paid

Full case for the issue of a writ ordd.

Legal Assistant 28/12

5/133-312

30.9.22

A. I regret I cannot agree in this view. The findings of fact in the S.D.O.'s order are concurrent. & it does not appear to me that the issue of a writ order is called for. The record may be called for & the appeal admitted

Recd 1.4.22

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

Should routine notes be written on small slips the notes must be copied or slips pasted on this form

W. D. 1650—G.P.P.—1-50,000—25-21

G. R. S. III-21

General and Revenue Secretariat. | File No. | of 19.

Serial No.

1.

2.

3

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat | File No. of 19

Serial No.

Request that
Secretariat

The main document
on which the above decision is
based is the Hukum Nama Shahan for Dasta Mamalatdar
12th March 1860 (an unauthenticated
copy of which is available in
the record). If directed, an
authenticated original of
this document will be called
for the Sub Asst Officer who shall
first look into the original
documents which was old and
torn.

The apltts. also Contended that
the revenue Commissioner did not
order a Report as he was directed
and that this
action is unfounded.

Submitted.

Note— Contn. sheet.

23.8

The original order of 1860
+ the Revenue leading thereto may
perhaps be called for

23/8/92

G. R. S. III-2]

General and Revenue Secretariat.

File No. of 19

Serial No.

29 VJ

Let the opinion of the Members whether the Custom Set up by appellants is [illegible] Shastras VJ 25/8/23

The opinion of the Legal is placed on record.

They say that the Custom set up by appellants by which they claim the exclusive rights to Puja and management of the Rathotsava and three Ratha deities on the basis of the Maharaja's Sannad in which only Worship etc. to Ganesa according to Shastras and Sampradaya Shastras, and [illegible] authorities their [illegible] Sri

RG 29/8/23

The appeal has

NOTE—Contn. sheet.

General and Revenue Secretariat. File No. of 19

Serial No.

to be decided according to the opinion of the Agamis, since a difficulty has been created by the following finding of the Dy Commr:-

"There is no doubt that a practice has come into value for the Jois family to offer worship i.e Mysorekam, Puja and Manzalarathi to the Deity in the middle on the Car festival and Hetteka-Kathe occasions".

It is this practice that has been in existence that appellants want to be continued but the Agamis says it is unshastraic

First Member) 21/6/22

2086-225 11.9.22

The view taken by the D.C. is correct & this is supported by the opinion of the Agamikas. An unshastraic & unauthorised practice cannot come into existence. it is necessary that it should be put a stop to. Does not mean it can be held that the appellants have acquired any such rights

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No of 19

Serial No

Ciphered notice to the ... that is considered ... which ... to ... should be allowed ... to ... the appeal is a case ... with ... a plea that the ... Court ... which the case ... should be ...

A.S. 5/11

19/9/22

2960-956. 30.9.22

Final Resolution

Draft approved

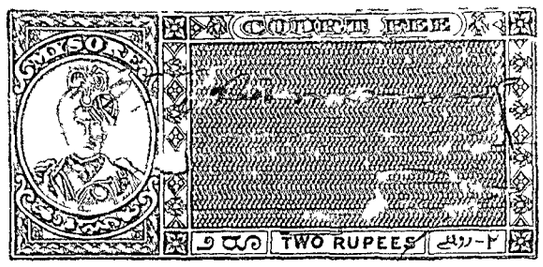
Rec. 1.10.22

4 To the ... Commissioner in Cyprus

No: ... 22

Intimating the ...

NOTE—Contn. sheet.



4071

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muz. Mis. App. No.

Appellants:--

1. Linga Jois, son of Rama Jois, residing at Shikarpur
2. Dattam Bhatta, son of Narasimha Bhatta residing at Shikarpur, Shimoga Dt.

V/s

Respondents:-

Srinivasamurthyachar son of Dhupadahalli, Subbannachar, Shikarpur, Shimoga District.

The Appellants above-named beg to state as follows:--

1. The Appellants have been enjoying from time immemorial the "Puja" and"Mangalarati" huq on Car gestival and other important ceremonial occasions (Hechukatle occasions) at the Sri - Kutcharayaswami Temple at Shikarpur.

2. That on an application made in the - year 1916 by one Narasimhachar on behalf of the respondent who was then a minor, the Dharmadarsis of the temple after holding an enquiry into the matter and investigating the long - established usage in the Institution have -

passed

passed a resolution that the appellants have been entitled to the "Puja and "Mangalarthi" huqs on important ceremonial occasions such as car-festival, and that there are no reasons to alter the well-established usage in the Temple.

3. That the Appellants have produced documents which go to prove beyond doubt the issue of Puja articles to their family on important Puja occasions for the due performance of the Puja and Mangalarthi on car-festival and other important festival days. Besides, the accounts maintained in the Taluk Office re: this temple will also corraborate the issue of Puja articles to the appellants for over 25 years - on such important occasions such as car-festival. Of the older accounts are not forthcoming, it is because they might have been - destroyed.

4. That the Appellants have established their huq to the said Puja by the evidence of old and respectable gentlemen of the locality and that the Deputy Commissioner has also - admitted that "the Jois family have got into exercise of the privileges claimed by them - either by"consent or sufferance" and this - evidence has not been rebutted.

5. That the Deputy Commissioner has - placed much reliance on a document produced

by

by the Respondent purporting to be an order of an Amildar in 1840. But no original records are traceable in the Taluk Office, though this has been an important record which ought to have been permanently preserved by Government.

6. That admittedly, even this alleged order of 1840 has never been acted upon, and the claim of the Appellants in question has been established and they have been enjoying the same for several generations.

7. That as regards the responsibility for safeguarding the jewels etc., the Dharmadarsis have been conducting the festivals according to the long established usage of the Temple and that the matter is one of administration.

8. That there has been a particular Satani family to make alankarams to the Deity on those important occasions. This family has also been permitted by long usage.

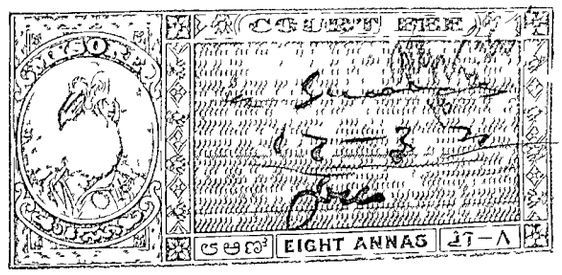
9. The Appellants pray that as the order of the Deputy Commissioner is one sided and against law, equity and long established custom of the Religious institutions, this Order may be set aside and appellants permitted to continue to enjoy the above huq.

10. The appellants pray that, as the next

carfestival

carfestival is to be celebrated during next April commencing from the 7th ( ), they may be - permitted to perform "Puja" ಪೂಜೆ etc., as heretofore pending final decision of their appeal before Government and they may also add that they were so - permitted during the pendency of the case before the Deputy Commissioner.

BANGALORE,
24th March 1922.



In the Court of the ...
Shimoga District at
Present G. ...
Deputy Commissioner
Shimoga Dist
Muzrai Appeal Case no 1 of 21-22

Appellants

(1) Linga Jois Son of
Ramajois of Shikarpur

(2) Dattambhatta Son of
Narasimhabhatta
of Shikarpur
by
Mr K. Shankaranarayana Upadya
Advocate.

vs

Respondent

Jagha
(now major) minor by
guardian Narasimha
Achar by
Mr K. Srinivasa Rao
Advocate.

This is an appeal against the order of the Assistant Commissioner and Magistrate Officer, Shimoga Sub Division directing that the respondent is entitled to "Puja" and "Mangalarathi" on Car festival and all Hetchukatte occasions in the temple of ... Hutcharayaswami, Shikarpur Taluk

Facts of the Case.

2. The first respondent Srinivasamurthya Cha. is the hereditary Baraverdar Archak of the Hutcharaya Swami temple at Shikarpur. A minor until recently one Narasimha Char was looking after the duties.

1-10-1915 Narasimhachar presented a petition to the Amildar stating that the Appellants were claiming to perform "Mangalaratti" to the deity on the car festival and other Hetchukatte occasions, that according to an order of 1840, the right of officiating worship belonged exclusively to the Archak's family and that, as he was solely responsible for the jewels etc; of the deity, none but himself should enter the inner shrine and offer worship. The matter having been referred to the Dharmadarsis of the temple for disposal, they intimated to the Amildar that neither party produced any documentary evidence and that worship may therefore be continued according to previous custom until proper references were made. Again on 10-5-1916 another representation being made to the Amildar by Narasimhachar for the settlement of his claims, the matter was again referred to the Dharmadarsis

SHIMOGA DISTRICT

who held a meeting on 1st to 4th Oct & for de
ciding resolution No 11
ing, as a manual to the
our Car festival and also sketch the area
and that there were no difficulties
to change the fare into a cash
endorsement to this effect
the Archak Narasimhachar on 15 IC 1916

3. Thereupon a petition was forwarded to
the Deputy Commissioner by the Archak
Narasimhachar complaining the
decision of the then Dharmadarsis and
alleging that their decision was one sided and
that all the Dharmadarsis were not present
on the occasion. This petition was sent to
the Sub Division officer, Shimoga for
disposal on 26-11-~~1919~~ 1917 AH AH.

4. Notices were issued to both the parties
to produce written evidence to establish
their respective claims. Accor
the appellant produced three old manus-
cript documents evidencing the issue of
puja articles to them during festival.
The respondent also produced an old
order dated 12-4-1840 issued by the
then Amildar to the Archak of the temple

DEPUTY COMMISSIONER SHIMOGA DISTRICT

the Amildar of Shikarpur also reported to the Sub Division officer on 1-12-19 (No 464) that no records are forthcoming in the Taluk office regarding the right to "Puja" and "Mangalarati" on Hetchukatte days and that Cocoanuts and flowers for "Puja" and "Mangalarthi" were being issued to the Archudars during Car festival, (Vide register of 1889 which was in the Taluk Records) and that the Baraward of Archakship stands in the name of Srinivasamurthyachar, Panchanga upadhi in the name of Lingajois (Appella ?) and Rig Veda upadhi in the name of Ramabhatta. On receipt of the Amildar's report the Sub Division officer, Shimoga passed a final order (153 of 18-19 dated 29-11-20) stating that the appellants were only the upadhivantas and that the old references by the appellants on 25-10-1919 which do not bear the signature of any responsible officer showed the details of items of expenditure and in the circumstances of the case, the respondent was entitled to offer puja and Mangalarthi on these occasions also.

5. The present appeal is against this order. The appeal petition which is in Kanada is verbose and argumentative and the

grounds [illegible]
here

6. Mr. Santha[illegible] argued the case on behalf of the Plaintiffs and Mr. K. Srinivasachari for the Respondents.

7. There is no doubt that a practice has come into vogue for the Jeeyar to offer worship i.e Abhishekam, Peiya Mangalarathi to the Deity in the on the Car festival and other Ketchut able occasions. Though the evidence on point is oral and therefore unsatisfactory in a matter of the kind, yet it may be taken as establishing the fact, seeing that there is no evidence contra and that the archak himself has been moving in the matter contesting the claim at least since 1915. There is, however, nothing to show when and how the practice arose or whether at anytime it had the formal sanction of the authorities. The only formal order dealing with the subject in question is the order of the Manbedar of 1840 and through the records

to the master is not forthcoming, there is nothing to show that the order is anything but genuine. The legal presumption is that it is genuine and the effect of the order is that it set at rest a dispute about an identical claim of the Jois family. Apparently at some later date, the Jois family seem to have got into the exercise of the privileges claimed by them either by consent or sufferance.

8. The appellants who are the representatives of the Jois family have produced certain documents which evidence the issue of certain Paya articles to the members of the Jois family and this is again supported by the records forwarded by the Amildar which relates to the year 1889. Seeing that the appellants have always been upadhivantas of the temple, no inference can be drawn from the issue of the articles to them that they were entitled to the Paya. And in the absence of any satisfactory evidence as regards the period of time they have been exercising the right and whether they were so exercising the same adversely to the archaka's right, it is not possible to find any title by prescription.

Apart from the above [illegible]
bread that the [illegible]
Muzrai insist for [illegible]
Control and the [illegible]
under question is also a matter for
Consideration. The [illegible] of the temple
is a Vaishnavaly persuasion and
the worship in the temple is [illegible],
under the texts of [illegible] which
is an Agamik treatise. It is altogether
unique for a temple under Agamik
worship to [illegible] non agamik Puja
during Hetchutst occasions while
everywhere else the Contrary is the
practice. Besides, it is no where the
practice for a Brahman archak to be
replaced by a non archak by profession
on such occasions. It seems to me
therefore that the practice is one which
is irregular and improper. Seeing that
the temple is one under direct Government
management, it seems to me but
correct that this irregularity should be
put a stop to.

10. Holding as I do that the title by prescription has not been established by the

appellants and that the So Called Mamool is basis irregular and without proper Sanction, I find that the worship on the Car festival and other Hetchukatte occasions should also be performed by the regular Barawardar archak and that the appellants who are the Upadhivanthas are only entitled to discharge the duties pertaining to their offices. In the result, the appeal is dismissed.

Sd/ G Aravamudu Iyengar
Deputy Commissioner

6-3-1922

DEPUTY COLLECTOR SHIMOGA DISTRICT

"Copy"
Ramanatha Rao
District Shirestadar

Copy applied on 17-3-22 by Mr H.S.N. Nadapa.
Copy ready on 18-3-22
Copy delivered on 18-3-22.
Copied by Y. Keshavaiah
Compared by A. Hiranmaiya.
No. of words ~~1190~~ 1190
Copying fees ~~1-2-3 1/2~~ 1-2-0.
Comparing fee 0-6-0

ಕೋರ್ಟಿಗೆ.

1921 —1922 ನೇ ಇಸವಿ [illegible] ನೆಂಬರು.

ವಾದಿ ಯಾ ಅರ್ಜೀದಾರ್.

[illegible]

ಪ್ರತಿವಾದಿ ಯಾ ಆಪ್ಪೋನೆಂಟ್.

ಮಾ॥ ರಾ॥ ಅಡ್ವೋಕೇಟ್ ಎಸ್. ಸೀತಾರಾಮಯ್ಯನವರು ಮತ್ತು
ಬಿ. ನಾರಾಯಣಮೂರ್ತಿ, ಬಿ. ಎ, ಎಲ್.ಎಲ್. ಬಿ. ಯವರಿಗೆ.

[illegible] ಬರಸಿಕೊಟ್ಟ ವಕ್ಕಾಲತ್ತ್ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಹಾಜರಾಗಿ ಅನ್ಯೋರುವರುವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ಏನಾದ ಜರಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಹೊಬಲಗು, ತಿಲ್ಕು ಹೊಬಲಗು ರೀಫಂಡು ಸ್ಟ್ಯಾಂಪು ಹೊಬಲಗು ದಸ್ತ್ವೈಜು ವಗ್ಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಹೊಬದ್ದಮೆಯಲ್ಲಿ ನನಗೋಸ್ಕರ ನಡೆಸುವ ಎಶ್ಟಾ ಕೆಲಸಗಳನ್ನು ನಾ ಮುದ್ದ ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

[illegible]

ತಾರೀಖು 24/3/22 ರುಜು.

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

G. R. S. VI.—6/7]

DRAFT.

SUBJECT.....

.....

.....

Section.
File No.
Serial No.

No. 5757.

Diary No. of letter replied to.....

OFFICIAL MEMORANDUM.

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* .....191 .

Date of issue 12-6-22

Signed by.....

The accompanying Petition Registered No. 1071 dated 27.3.22.
.....191 received at the ~~General and Revenue~~ Mucznad Secretariat from Linga Jois and Dattatreya Bhatta of Shikarpur appealing against the Dy. Comrs. order regarding the "Puja and Prangadashi" during car-festival etc. of Sri Thechanaya Swami at the place, is forwarded, together with its 2 enclosures. to the Dy. Comr Shimoga for ..... for favour of an early report in the case.

By Order,

Secretary to Government.

P.T.O.

5655

ಆರ್ಜಿದಾರ್... ತಾಲ್ಲೂಕು

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

ನಂಬರು.....

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ ... ದಿನ್ನಾಂಕ

ಮರ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು

By Order,

Secretary to Government.

List of enclosures

Copied by.....

Examined by.....

WD 1255—GPB—5,000—21-1-19

ਪਰਮੇਸ਼ਰ ਦੀ ਸਿਰਜਣਾ ਦੇ ਸਾਰੇ ਜੀਵਾਂ ਵਿਚੋਂ ਮਨੁੱਖ ਹੀ ਇਕ ਅਜਿਹਾ ਜੀਵ ਹੈ ਜਿਸ ਨੂੰ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਦਾ ਅਹਿਸਾਸ ਹੈ। ਇਸ ਅਹਿਸਾਸ ਦੇ ਕਾਰਨ ਹੀ ਮਨੁੱਖ ਨੇ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਅਨੇਕ ਦਲੀਲਾਂ ਦਿੱਤੀਆਂ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਕਈ ਵਾਰ ਇੰਨੀਆਂ ਗੁੰਝਲਦਾਰ ਹੋ ਜਾਂਦੀਆਂ ਹਨ ਕਿ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੋ ਜਾਂਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦੇ ਨੂੰ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਦਾ ਅਹਿਸਾਸ ਤਾਂ ਹੈ ਪਰ ਉਹ ਇਸ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ। ਇਸ ਲਈ ਉਹ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਵਾਲੇ ਵਿਦਵਾਨਾਂ ਦੀ ਸ਼ਰਨ ਵਿਚ ਜਾਂਦਾ ਹੈ। ਇਹ ਵਿਦਵਾਨ ਵੀ ਆਪਣੀ ਵਿਦਵਤਾ ਦੇ ਆਧਾਰ ਤੇ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੰਦੇ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਵਾਲੇ ਵਿਦਵਾਨਾਂ ਦੀ ਸ਼ਰਨ ਵਿਚ ਜਾਂਦਾ ਹੈ। ਇਹ ਵਿਦਵਾਨ ਵੀ ਆਪਣੀ ਵਿਦਵਤਾ ਦੇ ਆਧਾਰ ਤੇ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੰਦੇ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ।

ਇਸ ਤਰ੍ਹਾਂ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਵਿਦਵਾਨਾਂ ਨੇ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੱਤੀਆਂ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਵਾਲੇ ਵਿਦਵਾਨਾਂ ਦੀ ਸ਼ਰਨ ਵਿਚ ਜਾਂਦਾ ਹੈ। ਇਹ ਵਿਦਵਾਨ ਵੀ ਆਪਣੀ ਵਿਦਵਤਾ ਦੇ ਆਧਾਰ ਤੇ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੰਦੇ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ।

ਇਸ ਤਰ੍ਹਾਂ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਵਿਦਵਾਨਾਂ ਨੇ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੱਤੀਆਂ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਵਾਲੇ ਵਿਦਵਾਨਾਂ ਦੀ ਸ਼ਰਨ ਵਿਚ ਜਾਂਦਾ ਹੈ। ਇਹ ਵਿਦਵਾਨ ਵੀ ਆਪਣੀ ਵਿਦਵਤਾ ਦੇ ਆਧਾਰ ਤੇ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਕਰਨ ਲਈ ਵੱਖ-ਵੱਖ ਦਲੀਲਾਂ ਦਿੰਦੇ ਹਨ। ਇਹ ਦਲੀਲਾਂ ਵੀ ਆਮ ਬੰਦੇ ਦੀ ਸਮਝ ਤੋਂ ਬਾਹਰ ਹੁੰਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਆਮ ਬੰਦਾ ਇਨ੍ਹਾਂ ਦਲੀਲਾਂ ਨੂੰ ਸੁਣ ਕੇ ਵੀ ਪਰਮੇਸ਼ਰ ਦੀ ਹੋਂਦ ਨੂੰ ਸਾਬਤ ਨਹੀਂ ਕਰ ਸਕਦਾ।

31-8-22

Office of the Deputy [illegible]ioner,
Shimoga Distr ,

No.H.C. 407/Rev.21-22.

Dated Shimoga 21/22nd June 1922.

Rec 21-6-1922 Encs 3 files All.

From

G. Aravamuduiengar, Esquire, B.A., P.L.,
Deputy Commissioner,
Shimoga District.

To

A.V. Ramanathan, Esquire, B.A.,
Secretary to Government,
Muzrai Department, (In charge)
Bangalore.

Sir,

With reference to your Official Memorandum No. 5654/Muz.638-21-2, dated 12th April 1922, forwarding for report with connected records a petition received from Linga Jois and Dattambhatt, appealing against my decision in the matter of the right to conduct Puja and Mangalarathi during the car festival of Sri Hucharayaswami at Shikarpur, I have the honour to state as follows.

One Sreenivasachar is the hukkadar archak of the temple and during his minority, one Narasimhachar was looking after the office as his gumasta. He petitioned the Amildar of Shikarpur Taluk that the appellants were trying to enforce a claim to perform certain services in the temple during Rathotsavam to which they were not entitled viz., Puja and Mangalarathi. The matter was referred by the Amildar to the Dharmadarsis and after hearing them and examining other witnesses he decided in favour of the appellants' rights to perform the services in question.

Thereupon

Thereupon Narasimhachar, on behalf of the Minor Archak, appealed against the said order to this office and his petition was referred to the Assistant Commissioner, Shimoga Sub Division for disposal. The Sub Division Officer upset the order of the Amildar and decided against the - claim of the appellants mainly basing his decision on a document produced on behalf of the Respondent.

The appellants preferred an appeal to this office against the decision of the Sub Division Officer. Both the parties were represented and ~~the~~ arguments were heard and the case decided dismissing the appeal.

It is against this order that the appellants have now presented this appeal to Government. The order in the case gives in detail the facts of the case and the reasons for the decision.

The entire vernacular records connected with the - case together with this office file are submitted herewith for reference.

The appeal petition and its enclosures received with the above are also returned herewith.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Shimoga District.

G.V./

G.R..S VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to... 5226

General and Revenue Secretariat

( )

, *the* 192 .

Date of issue... 13.10.22

Signed by... Mr. T.Z. Iyer

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Petition regd on 4.10.22 from Lenga Rs and Dattam Bhatta & Shikaripur appealing against the Dy. Comm's order in the matter of the village case

Order Thereon No.

Petition & enclosure filed

Recd

Ex

of Sri Bucharaya Swami
at Shikarpur
Letter no. H.C. 407 of
22nd June 1922 from the
Dy. Comr. Sirsaya Distt.,
reporting on the subject.

under Memo. No 1528 Encl two files
Dated 638-21-4 of 13-10-22

The temple of Sri
Bucharaya Swami at
Shikarpur is a Muzrai
institution subject to Govt
Control.

The appellants in the
case have applied for
in the temple custom
that a practice has
come into force for
their family & other
worship i.e. Abhisheka
Puja and Mangalarati
& the deity in the temple

List of enclosures.

Copied by

Examined by

WD 1883—GPB—1,000,00—21-12 21

G. R. S.-G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*)

on the case, he heard and also Hetchukatte occasion, while the Brahmin Dhoti a bail thumb Cantore that this might belong to his family.

The Dy Comr, Shimoga Dist, gave a finding in favour of the Brahmin, and this is an appeal by the respondents against the Dy. Comr's decision.

Govt observe that it is now here the practice for a Brahman Archak to be replaced by a new Archak by professing during Hetchukatte occasions. The Agamika of the place who have considered in the matter, state that the agamika form of worship which is observed every day, should be replaced on occasions by the — form

WD 2230—GPB—1,00,000—23 7 20

is unsatisfactory.

An unsatisfactory and unauthorized practice having come into existence, it is necessary that it should be put a stop to. Sir I do not think that the appellants have acquired any sort of prescriptive right in the matter. What is considered to be intrinsically wrong cannot be allowed to be perpetuated. The appeal is accordingly dismissed, and the Rt. Commissioner's appealed against confirmed.

Jas
SDJ

Secretary
Rad. Rt Bd
19.9.22

By
the Hon. Chief

Illegible
1.10.22